

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH WALTER KAISER, et al.,

Plaintiffs,

No. CIV S- 91-0300 GGH P

vs.

COUNTY OF SACRAMENTO, et al.,

Defendants.

ORDER

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John Luong, an inmate at the Sacramento County Jail has filed a motion, inappositely named “motion to intervene,” wherein, inter alia, Inmate Luong vociferously disputes the standing of plaintiffs’ past class counsel to stipulate on behalf of the class to the recently proposed modification of the 1993 consent decree, wherein defendants seek to substitute the use of an outside paralegal research service company to conduct research for pro se inmates in lieu of maintaining and allowing access by the inmates themselves to a jail law library, as presently exists.

Of course, Inmate Luong, who is currently housed in Sacramento County Jail need not move to intervene in this class action because all housed in the jail are members of the plaintiff class in this class action.

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1 To the extent that Inmate Luong seeks to have the court appoint new class
2 counsel, the court is currently awaiting briefing from Paul Comiskey, who has represented the
3 plaintiffs in this action in the past. Upon the court's review of briefing by Mr. Comiskey, or the
4 expiration of time for filing such briefing, the court will determine whether new counsel will
5 need to be appointed for plaintiffs with regard to the proposed modification eliminating direct
6 inmate access to a jail library.

7 Once the court has initiated the notice period for the proposed modification,
8 plaintiff class members may submit any objections. At this time, the court will simply construe
9 the "motion to intervene," filed on October 31, 2008 (# 250) as an objection to the proposed
10 modification, albeit prematurely filed. This motion is vacated from the calendar.

11 IT IS SO ORDERED.

12 DATED: November 6, 2008

13 /s/ Gregory G. Hollows
14 GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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